

**STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING**

Annette M. Kaufman, R.N.

53 Parker Street, Unit B402

Wallingford, CT 06492

1995-1006-075

**MEMORANDUM OF DECISION  
ON  
REINSTATEMENT REQUEST**

**PROCEDURAL BACKGROUND**

Annette M. Kaufman (hereinafter the Respondent) was issued Registered Nurse License, No. E50573 on September 14, 1987. (Department Exhibit A)

Pursuant to a Consent Order dated October 22, 1991, the Respondent's registered nurse license was placed on probation for two (2) years effective November 1, 1991, for diverting and abusing the controlled substances Meperidine and Morphine and for falsification of Controlled Substance Receipt Records. (See Board Exhibit B, p. 3)

Pursuant to a Memorandum of Decision dated September 10, 1992, the Respondent's registered nurse license was revoked for diverting the controlled substance Meperidine; failing to completely or properly or accurately make documentations in medical or hospital records; falsifying Controlled Substance Receipt Records; violating the terms of probation of her registered nurse license; and abusing the controlled substance Cocaine. (Board Exhibit B)

The Respondent petitioned the Board of Examiners for Nursing (hereinafter the Board) requesting reinstatement of her registered nurse license. Pursuant to the Respondent's request the Board issued a Notice of Hearing dated September 27, 1995 scheduling a hearing for December 19, 1995. (Board Exhibit A)

The Department of Public Health (hereinafter the Department) submitted a Motion to Intervene, dated October 31, 1995, requesting to be a party in the hearing. The Motion was granted by the Board. (Board Exhibit C)

The hearing took place on December 19, 1995 in Room 2-A, Legislative Office Building, Capitol Avenue, Hartford, Connecticut.

The Respondent was present at the hearing and was represented by counsel. (Hearing Transcript, December 19, 1995, p. 2)

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and the Board's specialized professional knowledge in evaluating the evidence.

### **FACTS**

Based on the testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact:

1. Beginning on or about April 1991, the Respondent engage in individual therapy and counseling for substance abuse. (Department Exhibit B) (Hearing Transcript, December 19, 1995, pp. 20-21)
2. Subsequent to the conduct which resulted in the revocation of her registered nurse license the Respondent has continued to engage in individual therapy and counseling for substance abuse. In addition, from August 1992 to September 1995 the Respondent attended a weekly chemical dependency group program at Gaylord Hospital, Wallingford, Connecticut. (Respondent's Exhibit 1-F) (Hearing Transcript December 19, 1995, pp. 20, 36-37)
3. The Respondent's therapist is of the opinion that the Respondent can resume the practice of nursing provided certain limitations are imposed. (Hearing Transcript, December 19, 1995, pp. 24-25)

4. From on or about July 1992 to November 1995 the Respondent has submitted to random urine screens for alcohol and drugs. The results of the screens have been negative for the presence of drugs and/or alcohol. (Respondent's Exhibits 1 and 3)
5. The Respondent has been employed at Community Provider Consortium, Inc., Meriden, Connecticut since on or about February 1993. The Respondent has been providing case management services for substance abuse and mentally ill patients. The Respondent has recently been promoted to Senior Case Manager. (Respondent's Exhibit 1-A, 1-B, 1-I) (Hearing Transcript, December 19, 1995, p. 38-39, 49-51)
6. The Respondent actively participates in Alcoholics Anonymous/Narcotics Anonymous and the support group Nurses for Nurses. The Respondent also has the support of a sponsor with whom she meets on a regular basis. (Respondent's Exhibits 1-C, 1-G, 1-H) (Hearing Transcript, December 19, 1995, pp. 36-37)

### **DISCUSSION AND CONCLUSIONS**

In accordance with the Notice of Hearing, the Respondent has the burden of satisfying the Board that she is able to practice nursing with reasonable skill and safety by presenting relevant evidence at the hearing, including the following:

1. Documentary or testimonial evidence documenting her drug free status, her emotional health, and her ability to administer safe nursing care, including the administration of controlled substances;
2. Personal references stipulating, but not limited to the following: her drug free status, emotional health, and work habits;
3. Documentary or testimonial evidence from her current and past employers regarding her employment performance;
4. Copies of random screens for drugs and alcohol which support her drug free status;
5. Documentation of participation in support groups and support of a sponsor.

The Board finds that the Respondent has presented relevant evidence as required by the Notice of Hearing.

Based on a review of the evidence the Board concludes that the Respondent has met the burden of satisfying the Board of her ability to practice nursing with reasonable skill and safety.

**ORDER**

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

1. That the registered nurse license, No. E50573, of the Respondent, Annette M. Kaufman, be reinstated to probationary status effective April 5, 1996.
2. That the registered nurse license, No. E50573, of the Respondent shall be placed on probation for a period four (4) years.
3. If any of the following conditions of probation are not met, the Respondent's registered nurse license may be subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.
  - A. The Respondent shall successfully complete a Board approved registered nurse refresher program.
  - B. Certification of successful completion of the refresher program cited in A above shall be submitted to the Board, directly from the educational institution where said program was taken, within thirty (30) days of the program's completion.
  - C. Until such time the Board is notified of the Respondent's successful completion of the refresher program, the Respondent's registered nurse license will be restricted and used for the sole purpose of participating in the refresher program.
  - D. During the clinical portion of the registered nurse refresher program, any handling and/or administration of medications shall be performed in the direct presence of a refresher program instructor.

- E. The Respondent shall provide a copy of this Memorandum of Decision to any and all employers if employed as a nurse during the probationary period. The Board shall be notified in writing by her employer(s), within thirty (30) days of employment as a nurse, as to receipt of a copy of this Memorandum of Decision.
- F. Should the Respondent change employment during the probationary period, she shall provide a copy of this Memorandum of Decision to her employer and said employer shall notify the Board in writing, within thirty (30) days of the commencement of employment, as to receipt of a copy of this Memorandum of Decision.
- G. The Respondent shall not administer, count or have access to narcotics or other controlled substances, or have responsibility for such activities in the course of nursing duties during the first year of working as a nurse during the probationary period.
- H. The Respondent shall not accept employment as a nurse for a personnel provider service, Visiting Nurse Association or home health care agency and shall not be self-employed as a nursing during the period of her probation.
- I. The Respondent shall cause monthly employer reports to be submitted to the Board by her immediate supervisor, if employed as a nurse, during the entire probationary period. Employer reports shall commence with the report due on the first day of the month following her employment as a nurse.
- J. The employer reports cited in Paragraph I above shall include documentation of the Respondent's ability to safely and competently practice nursing. Employer reports shall be issued to the Board at the address cited in Paragraph U below.
- K. Should the Respondent's employment as a nurse be voluntarily or involuntarily terminated, the Respondent's employer shall notify the Board, within seventy-two (72) hours, of such termination.

- L. At her own expense, the Respondent shall engage in therapy and counseling for chemical dependency with a licensed or certified therapist during the entire period of probation.
- M. The Respondent shall provide a copy of this Memorandum of Decision to her therapist. The Board shall be notified in writing by her therapist, within thirty (30) days of the effective date of this Decision, as to receipt of a copy of this Memorandum of Decision.
- N. The Respondent shall cause monthly evaluation reports to be submitted to the Board by her therapist during the entire probationary period. Therapist reports are due on the first day of the month commencing with the report due May 1, 1996.
- O. The therapist reports cited in Paragraph N above shall include documentation of dates of treatment, and an evaluation of the Respondent's progress, including alcohol and drug free status, and ability to safely and competently practice nursing. Therapist reports shall be issued to the Board at the address cited in Paragraph U below.
- P. At her own expense the Respondent shall be responsible for submitting to random urine and/or blood screens for alcohol and drugs for the entire probationary period, as ordered by her therapist, and/or personal physician, and/or the Board of Examiners for Nursing. Random alcohol/drug screens shall be legally defensible in that chain of custody procedures must be followed throughout the screening process. The Respondent shall be responsible for immediately notifying the laboratory, her therapist and/or personal physician and the Board of Examiners for Nursing of any drug(s) she is taking.

There must be at least two (2) such random alcohol/drug screens monthly during the clinical portion of the registered nurse refresher program and during the first year of returning to the practice of nursing. There must be at least one (1) such random alcohol/drug screen monthly during the remainder of the probationary period. Reports of said random alcohol/drug screens are due on the first day of the month commencing with the report due on May 1, 1996. Random alcohol/drug screens shall be negative for the presence of alcohol and drugs. All positive results

shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.

Random alcohol/drug screens must include testing for the following substances: ~

- Amphetamines
- Barbiturates
- Benzodiazepines
- Cannabinoids (THC Metabolites)
- Cocaine
- Meperidine (Demerol)
- Methadone
- Methaqualone
- Opiates (Metabolites)
- Phencyclidine (PCP)
- Propoxyphene
- Ethanol (alcohol)

Reports of random alcohol and drug screens shall be submitted directly to the Board, at the address cited in Paragraph U below, by the Respondent's therapist or personal physician or the testing laboratory.

- Q. The Respondent shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her, for a legitimate purpose, by a licensed health care practitioner authorized to prescribe medications, and the Respondent shall not abuse and/or excessively use alcohol and/or drugs.
- R. The Respondent is hereby advised that the ingestion of poppy seeds may produce a positive drug screen result indicating the presence of opiates/morphine. For that reason, any food substance containing poppy seeds should be avoided during the probationary period. In the event that a drug/alcohol screen is positive for opiates/morphine, the ingestion of poppy seeds shall not constitute a defense to such positive screen.
- S. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of employment.

- T. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of address.
- U. All correspondence and reports are to be addressed to:

**BOARD OF EXAMINERS FOR NURSING**  
**DEPARTMENT OF PUBLIC HEALTH**  
410 Capitol Avenue, MS#12NUR  
P. O. Box 340308  
Hartford CT 06134-0308

4. Any deviation from the terms of probation without prior written approval by the Board of Examiners for Nursing will constitute a violation of probation which will be cause for an immediate hearing on charges of violating this Order and will subject the Respondent to sanctions under §19a-17(a) and (c) of the General Statutes of Connecticut including, but not limited to, the revocation of her license. Any extension of time or grace period for reporting granted by the Connecticut Board of Examiner's for Nursing shall not be a waiver or preclude the Board's right to take action at a later time. The Board of Examiners for Nursing shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to Respondent's address of record (most current address reports to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department of Public Health or the Board of Examiners for Nursing).
5. This Memorandum of Decision becomes effective, and the four (4) year probation of the Respondent's registered nurse license shall commence, on April 5, 1996.

The Board of Examiners for Nursing hereby informs the Respondent, Annette M. Kaufman, and the Department of Public Health of the State of Connecticut of this decision.

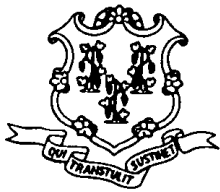
Dated at Wethersfield, Connecticut this 3rd day of April 1996.

BOARD OF EXAMINERS FOR NURSING

By







# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH

May 4, 2000

Annette Kaufman, RN  
36 Cambridge Street  
New Britain, Connecticut 06051

Re: Memorandum of Decision  
Petition No. 951006-010-095  
License No. E50573  
DOB: ~~XXXXXX~~

Dear Ms. Kaufman:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective 4/5/2000.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Memorandum of Decision.

Thank you for your cooperation during this process.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Bonnie Pinkerton".

Bonnie Pinkerton, RNC  
Division of Health Systems Regulation

cc: D. Tomassone  
J. Wojick



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